

IN THE CLAIMS ATTACHED TO THE
INTERNATIONAL PRELIMINARY EXAMINATION REPORT:

Please rewrite claims 1-17 as shown below in the detailed listing of all claims which are, or were, in this application:

1. (Currently amended) A nucleic acid amplification assay for quantitative and/or qualitative analysis of the presence of a specific analyte or specific analytes in a biological sample, which analytes, if present, are contained in biological particles ~~(4)~~ of said sample ~~(2)~~, in which assay the sample ~~(2)~~ is forced in a first direction through a filter ~~(6)~~ that retains said biological particles ~~(4)~~ ~~characterised in that~~ wherein said biological particles ~~(4)~~ retained in said filter ~~(6)~~ are flushed, by a flush flow ~~(8)~~, in a second opposite direction through said filter ~~(6)~~ out of said filter ~~(6)~~ and said flush flow ~~(8)~~ containing said biological particles ~~(4)~~ flushed out is analysed for the analyte or analytes.

2. (Currently amended) The assay of claim 1 ~~characterised in that~~ ~~said assay comprises~~ further comprising an additional filtration prior to the filtration retaining the biological particles ~~(4)~~ containing the analyte or analytes, which additional filtration

does not retain the biological particles {4} containing the analyte or analytes but retains particles {10} that might interfere with the analysis of the analyte or analytes.

3. (Currently amended) The assay of claim 1 ~~or 2~~ ~~characterised in that~~ wherein the flow containing the biological particles {4} containing the analyte or analytes flushed out is analysed for the analyte or analytes without any further purification.

4. (Currently amended) The assay of claim 1, 2 ~~or 3~~ ~~characterised in that~~ wherein retention of the biological particles {4} containing the analyte or analytes in the filter {6} is essentially size dependent.

5. (Currently amended) The assay of ~~any of claims 1 to 4~~ ~~characterised in that~~ claim 1 wherein retention of the biological particles {4} containing the analyte or analytes in the filter {6} is essentially dependent on the chemical properties of the particle.

6. (Currently amended) The assay of ~~any of claims 1 to 5~~ ~~characterised in that~~ claim 1 ~~wherein~~ the biological particles (4) containing the analyte or analytes are selected from the group consisting of prokaryotic or eukaryotic cells or spores or components thereof, viruses or viral particles, complexes comprising protein and/or nucleic acid, and any combination thereof.

7. (Currently amended) The assay of claim 6 ~~characterised in that~~ wherein the biological particles (4) containing the analyte or analytes are selected from the group consisting of bacteria, bacterial cell, plant pollen, ~~mitochondria~~ mitochondria, chloroplast, cell nuclei, virus, phage, chromosome and ribosome.

8. (Currently amended) The assay of ~~any of claims 1 to 7~~ ~~characterised in that~~ claim 1 ~~wherein~~ the means of analysing the analyte or analytes is selected from the group consisting of polymerase chain reaction (PCR), reverse transcriptase polymerase chain reaction (RT-PCR), ligase chain reaction (LCR), proximity ligation assay, nucleic acid sequence based amplification (NASBA),

strand displacement amplification (SDA) and any combination thereof.

9. (Currently amended) The assay of ~~any of claims 1 to 8~~ ~~characterised in that claim 1 wherein~~ the biological particles (4) containing the analyte or analytes are flushed with a liquid or a gas preferably not contained in the original ~~sample 2 sample~~.

10. (Currently amended) The assay of ~~any of claims 1 to 9~~ ~~characterised in that claim 1 wherein~~ the analyte or analytes are selected from the group consisting of a living and/or dead cell or virus; a peptide, a protein or complex thereof; a nucleic acid; and any combination thereof.

11. (Currently amended) The assay of claim 10 ~~characterised in that wherein~~ the analyte or analytes comprises living and/or dead cells and/or viruses selected from the group consisting of a mold, a yeast, a eukaryotic cell or organism, a pathogenic virus and a cancer cell.

12. (Currently amended) The assay of claim 10 ~~characterised in~~ in that wherein the analyte or analytes comprises nucleic acids selected from the group consisting of DNA, RNA and any derivative thereof.

13. (Currently amended) The assay of claim 10 ~~characterised in~~ in that wherein the analyte or analytes comprises peptides and/or proteins or complexes thereof selected from the group consisting of a hormone, a growth factor, an enzyme or parts thereof and/or complexes thereof; and any combination thereof.

14. (Currently amended) An arrangement {12} for preparing a biological sample {2} for quantitative and/or qualitative analysis of the presence of a specific analyte or specific analytes, which analytes, if present, are contained in biological particles {4} of the sample {2}, wherein the arrangement {12} comprises

- a) a housing {14} for a filter {6};
- b) a filter {6} within said housing {14} for retaining the biological particles {4} containing the analyte or analytes, said filter {6} having two sides,
 - i) a sample inlet side {16} and

- ii) a flushing flow inlet side $\langle 18 \rangle$; and
- c) means for
 - i) leading $\langle 20 \rangle$ the sample $\langle 2 \rangle$ through the filter $\langle 6 \rangle$ from the sample inlet side $\langle 16 \rangle$ to the flushing flow inlet side $\langle 18 \rangle$,
 - ii) leading $\langle 22 \rangle$ the flush flow $\langle 8 \rangle$ from its inlet side $\langle 18 \rangle$ to the sample inlet side $\langle 16 \rangle$, and
 - iii) retrieving $\langle 24 \rangle$ for analysis biological particles $\langle 4 \rangle$ containing the analyte flushed from the filter $\langle 6 \rangle$;
- ~~characterised in that~~ wherein the arrangement $\langle 12 \rangle$ comprises a filter rack $\langle 32 \rangle$ that is a multi-way valve, with separate connections for sample inlet $\langle 20 \rangle$, sample retrieval $\langle 24 \rangle$, flush flow inlet $\langle 36 \rangle$ and waste disposal $\langle 38 \rangle$, and optionally for wash flow $\langle 34 \rangle$, and the filter rack $\langle 32 \rangle$ with the filter $\langle 6 \rangle$ can be turned in alternative positions so that flow is directed from
- d) the sample inlet $\langle 20 \rangle$ into the filter $\langle 6 \rangle$ from the sample inlet side $\langle 16 \rangle$ to the flush flow inlet side $\langle 18 \rangle$ and to waste $\langle 38 \rangle$ or optionally for use as flush flow,
- e) the flush flow inlet $\langle 22 \rangle$ into the filter $\langle 6 \rangle$ from the flush flow inlet side $\langle 18 \rangle$ to the sample inlet side $\langle 16 \rangle$ and to sample retrieval $\langle 24 \rangle$, or

f) optionally, the flow inlet $\langle 30 \rangle$ into the filter $\langle 6 \rangle$ from the sample inlet side $\langle 16 \rangle$ to the flush flow inlet side $\langle 18 \rangle$ and to waste $\langle 38 \rangle$ or for recycling.

15. (Currently amended) The arrangement $\langle 12 \rangle$ according to claim 14
~~characterised in that~~ wherein the arrangement $\langle 12 \rangle$ further comprises

- a) an additional filter $\langle 26 \rangle$ that does not retain the biological particles $\langle 4 \rangle$ containing the analyte or analytes but retains particles $\langle 10 \rangle$ that might interfere with the analysis of the analyte or analytes, and
- b) means for leading $\langle 28 \rangle$ the sample $\langle 2 \rangle$ through said additional filter $\langle 26 \rangle$ prior to leading it through the filter $\langle 6 \rangle$ for retaining the biological particles $\langle 4 \rangle$ containing the analyte or analytes.

16. (Currently amended) The arrangement $\langle 12 \rangle$ according to claim 14
~~or 15~~ ~~characterised in that~~ wherein the arrangement $\langle 12 \rangle$ further comprises means for leading $\langle 30 \rangle$ a washing liquid or gas through the filter $\langle 6 \rangle$ from the sample inlet side $\langle 16 \rangle$ to the flushing flow inlet side $\langle 18 \rangle$ for washing the retained biological particles $\langle 4 \rangle$

containing the analyte or analytes prior to flushing them out of the filter {6}.

17. (Currently amended) A kit of parts, components and/or reagents for performing the assay according to any of claims 1 to 13, characterised in that it comprises comprising the arrangement {12} according to any of claims 14 to 16 of claim 14.